IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No.9168 of 2007

1. Zolovan Chandulal Mehta
and others ..Petitioners

vs.

1. Dr.Eknath Keshav Sonsurkar
since deceased and ors. ..Respondents

Shri P.S.Dani for petitioners.

CORAM: S.C.DHARMADHIARI J.
14th December, 2007

P.C.

1. The complaint of Shri Dani is that RAE suit is of 1994. The appeal which is filed in the year 2006 was part heard after the stay was granted. Advocate appearing for the respondents/original appellants sought adjournments and later on it appears that there was some affidavit placed on record stating that the appellants have lost trust in the court and they think that the justice will not be done to them. The apprehension of Shri Dani is that the observations in para 9 of the impugned order shows that the appeal would never be heard.

2. I see no reason for such apprehension because irrespective of such affidavits, the

Courts will have to perform their duties in accordance with law. Such affidavits being placed on record does not mean that the hearings are to be adjourned or postponed indefinitely. The Appellate Bench of Small Causes Court must take up this appeal and dispose of the same in accordance with law as expeditiously as possible and in any event on or before 30th April, 2008. With such direction the petition is disposed of.

(S.C.DHARMADHIKARI J.)